



Docket No.: 066778-0130

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Selsted, Michael E., et al.
Appl. No. : 10/009,317
Filed : November 09, 2001
Title : ANTIMICROBIAL THETA
DEFENSINS AND METHODS
OF USING SAME

Customer No.: 41552
Confirmation No.: 6942

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Lori Ford

Grp./A.U. : 1653
Examiner: : Desai, Anand U.

TERMINAL DISCLAIMER UNDER RULE 1.321

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Sir:

The Regents of the University of California is the assignee of and the exclusive owner of the entire right, title and interest of, in and to the above-identified application as indicated by the recordation of Assignment, which has been recorded by the U.S. Patent and Trademark Office at Reel 013092 and Frame 0637 for application Serial No. 10/009,317.

The Regents of the University of California hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application that would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 & 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,335,318.

The Regents of the University of California hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any

patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-156 & 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned has reviewed all of the documents and the chain of title of the patent application identified above and to the best of the undersigned's knowledge and belief all right, title and interest in the above-identified patent application resides with The Regents of the University of California.

■ The undersigned is an agent of record.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

10/009,317

Please charge the \$65.00 Disclaimer fee to Deposit Account Number 502624.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



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